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<u>Kim Landers</u> Signature	<u>June 22, 2006</u> Date

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant:	CHANG, Chin-Ming	Group Art Unit: 1654
Serial No.:	10/055,509	Examiner: A. Gupta
Application Date:	January 23, 2002	Conf No.: 9159
For:	STABILIZED TERIPARATIDE SOLUTIONS	
Docket No.:	X10911A	

PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 C.F.R. 1.313(c)

Office of Petitions

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION

Pursuant to 37 C.F.R. 1.313(c)(2), Applicants respectfully petition for withdrawal of the current case to allow consideration of the enclosed RCE. Allowed claim 47 inadvertently includes glycine in the list of stabilizers. The amendment provided with the RCE deletes glycine from the claim. In addition, U.S. Patent 5,607,915 (Patton), U.S. Patent 4,698,328 (Neer), U.S. Patent 6,454,746 (Bydlon), U.S. Patent 5,891,086 (Weston), U.S. Patent 5,616,560 (Geddes) and WO 94/08613 (Bagnoli) were cited in related cases Serial No. 09/555,476, now U.S. Patent 6,770,623, and Serial No. 10/427,259 (Attorney Docket X-10911B), which were handled by the same Examiner. However, these references have not been formally made of record in the present case, and

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Serial No. 10/055,509

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the IDS submitted with the RCE assures that they are officially considered and of record in this case.

PATENT ISSUE FEE

The issue fee for this case has been paid on May 11, 2006.

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REASON FOR WITHDRAWAL REQUEST

The reason for the request for withdrawal from issue is:

(b) consideration of a request for continued examination under 37 C.F.R. § 1.114


AMENDMENT

Accompanying this petition is an RCE and an amendment.

PETITION FEES

The fee set forth in 37 C.F.R. § 1.17(h), required by 37 C.F.R. § 1.313(a) is \$130.00. Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 05-0840

Respectfully submitted,



Thomas D. Webster, PhD, JD
Attorney for Applicants
Registration No. 39,872
Phone: 317-276-3334

Eli Lilly and Company
Patent Division
P.O. Box 6288
Indianapolis, Indiana 46206-6288

June 22, 2006

Lilly

Fax Cover Sheet

Eli Lilly and Company
Lilly Corporate Center
Indianapolis, Indiana 46285
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Phone: _____

Total Pages (including cover): 19Date: JUNE 22, 2006

RE: Serial No: 10/055,509

Title: Stabilized Teriparatide Solutions

Docket No.: X-10911A

Attached for filing in above-referenced
application are:

1. Petition for Withdrawal From Issue
2. RCE Transmittal
3. Preliminary Amendment
4. Information Disclosure Statement
5. Form 1449 (US 5,607,915)

Thank you!

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Kim Landers at
317-277-1469

Answers That Matter.